

Message Text

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12

ORIGIN EUR-25

INFO OCT-01 ISO-00 DODE-00 PM-07 CIAE-00 INR-10 NSAE-00

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DRAFTED BY EUR/TUR: MBHIRSHORN:LC

APPROVED BY EUR/TUR: RSDILLON

NAVY JAG - LT.CDR.GRANAHAN

NAVY JAG - T.E.LOHREY

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R 111652Z JUN 74

FM SECSTATE WASHDC

TO AMEMBASSY ANKARA

INFO AMCONSUL ISTANBUL

NAVY JAG WASHDC

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E.O. 11652: N/A

TAGS: MOPS, TU

SUBJECT: USS INDEPENDENCE CABLE DAMAGE -- 6 AUGUST 1973

REF:A)ANKARA 4345

(B)STATE 109743

1. AS INDICATED IN REF.B, WE UNDERSTAND THAT REPAIRS TO THE DAMAGED CABLE WERE EFFECTED BY PTT PRIOR TO THE 13 MAY 1974 EXCHANGE RATE CHANGE FROM 14 TL/\$1.00 TO 13.5 TL/\$1.00. WE FURTHER UNDERSTAND THAT THE REQUEST ON THE PART OF PTT FOR PAYMENT OF ITS CLAIM IN U.S. DOLLARS WAS MOTIVATED BY THE NECESSITY TO PURCHASE NEW CABLES IN U.S. CURRENCY ON THE FOREIGN MARKET. IT APPEARS FROM PARA 1 OF REF.A THAT PTT INTENDS TO UTILIZE U.S. DOLLARS TO PAY FOR THE COST OF THE NEW CABLES. THEREFORE, NO LOSS WOULD BE INCURRED BY PTT AS A RESULT OF THE EXCHANGE RATE CHANGE WITH RESPECT TO THAT PORTION OF PTT'S CLAIM WHICH REPRESENTS THE COST OF NEW CABLES.

2. ADDITIONALLY,AS THE U.S. HAS WAIVED THE APPLICABLE

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PROVISIONS OF THE NATO/SOFA IN THIS MATTER, AND HAS

THEREBY AGREED TO PAYMENT OF THE PTT CLAIM OF APPROXIMATELY \$140,000 IN EXCESS OF OUR FINANCIAL OBLIGATION UNDER THE NATO/SOFA CLAIMS PROVISION, WE CONSIDER THE SETTLEMENT OFFER CONTAINED IN REF.B TO BE A FAIR AND REASONABLE MANNER OF RESOLVING THE DISPUTE OCCASIONED BY THE INTERVENING EXCHANGE RATE CHANGE IN THIS CASE.

3. ACCORDINGLY, WE REQUEST THAT YOU ADVISE PTT OFFICIALS OF OUR POSITION AND REMIND THEM THAT CURRENT FUNDING AUTHORITY TO SETTLE THIS CLAIM WILL EXPIRE ON 30 JUNE 1974, NECESSITATING FURTHER ADMINISTRATIVE DETAILS IF SUBSEQUENT NEGOTIATIONS ARE ENCOUNTERED. SISCO

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